

Aaron Renenger (SBN 222675)
Email: arenenger@milbank.com
MILBANK, TWEED, HADLEY & McCLOY LLP
601 S. Figueroa Street, 30th Floor
Los Angeles, California 90017
Telephone: (213) 892-4000
Facsimile: (213) 629-5063

David R. Gelfand (*admitted pro hac vice*)
Email: dgelfand@milbank.com
Rachel Penski Fissell (*admitted pro hac vice*)
Email: rfissell@milbank.com
MILBANK, TWEED, HADLEY & McCLOY LLP
1 Chase Manhattan Plaza
New York, NY 10005
Telephone: (212) 530-5000
Facsimile: (212) 822-5661
*Attorneys for Defendants STA Development, LLC,
Solar Trust of America, LLC, Solar Millennium, Inc.,
CA I-10 Solar, LLC, Palo Verde Solar I, LLC,
Palo Verde Solar II, LLC, Blythe Solar Power Project
Unit 1, LLC, Blythe Solar Power Project Unit 2, LLC,
Blythe Solar Power Project Unit 3, LLC and
Blythe Solar Power Project Unit 4, LLC*

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

MMR GROUP, INC.,
MMR POWER SOLUTIONS, LLC and
SOUTHWESTERN POWER GROUP II, LLC,
Plaintiffs,

vs.

STA DEVELOPMENT, LLC (F/K/A SOLAR
MILLENNIUM, LLC), SOLAR TRUST OF
AMERICA, LLC, SOLAR MILLENNIUM AG,
SOLAR MILLENNIUM, INC., CA I-10 SOLAR, LLC,
PALO VERDE SOLAR I, LLC, PALO VERDE SOLAR
II, LLC, BLYTHE SOLAR POWER PROJECT UNIT 1,
LLC, BLYTHE SOLAR POWER PROJECT UNIT 2,
LLC, BLYTHE SOLAR POWER PROJECT UNIT 3, LLC
AND BLYTHE SOLAR POWER PROJECT UNIT 4, LLC
Defendants.

Case No. 3:11-cv-01521-EMC

**JOINT STIPULATION TO
STAY ACTION ; ORDER RESETTING**

CMC
**The Honorable Judge
Edward M. Chen**

1 Plaintiffs MMR GROUP, INC., MMR POWER SOLUTIONS, LLC and
2 SOUTHWESTERN POWER GROUP II, LLC (collectively, "MMR") and Defendants STA
3 DEVELOPMENT, LLC, SOLAR TRUST OF AMERICA, LLC, SOLAR MILLENNIUM, INC.,
4 CA I-10 SOLAR, LLC, PALO VERDE SOLAR I, LLC, PALO VERDE SOLAR II, LLC,
5 BLYTHE SOLAR POWER PROJECT UNIT 1, LLC, BLYTHE SOLAR POWER PROJECT
6 UNIT 2, LLC, BLYTHE SOLAR POWER PROJECT UNIT 3, LLC AND BLYTHE SOLAR
7 POWER PROJECT UNIT 4, LLC (collectively, the "STAD Defendants") submit the following:

9 **WHEREAS**, MMR and the STAD Defendants have executed an Agreement and Release
10 (the "Settlement Agreement") to settle and compromise all claims and disputes between them,
11 including those currently asserted in the above-captioned action (the "Litigation") subject to, *inter*
12 *alia*, payment and clearance of a settlement payment ("Settlement Payment");

14 **WHEREAS**, MMR and the STAD Defendants agree, pursuant to the Settlement
15 Agreement, that the Litigation should be stayed pending payment and clearance of the Settlement
16 Payment and execution of an ancillary agreement, after which the parties intend to file a joint
17 stipulation to dismiss the Litigation with prejudice (the "Joint Stipulation to Dismiss"); and

18 **WHEREAS**, pursuant to the Settlement Agreement, if a party defaults under the
19 Settlement Agreement the non-defaulting party may seek relief from the Stay;

21 **IT IS HEREBY STIPULATED AND AGREED**, subject to the Court's approval, that
22 the Litigation be stayed until (i) the Joint Stipulation to Dismiss is filed with the Court or (ii) a
23 non-defaulting party seeks relief from the Stay because of a default of the other party under the
24 Settlement Agreement.

1 Dated: March 12, 2012

MILBANK, TWEED, HADLEY & McCLOY LLP

2 By: /s/ Aaron Renenger

3 Jerry L. Marks (SBN 135395)
4 Aaron Renenger (SBN 222675)
5 601 S. Figueroa Street, 30th Floor
6 Los Angeles, California 90017
7 Telephone: (213) 892-4000
8 Facsimile: (213) 629-5063

9 David R. Gelfand (*admitted pro hac vice*)
10 Rachel Penski Fissell (*admitted pro hac vice*)
11 1 Chase Manhattan Plaza
12 New York, NY 10005
13 Telephone: (212) 530-5000
14 Facsimile: (212) 822-5661

15 *Attorneys for Defendants STA Development, LLC,*
16 *Solar Trust of America, LLC, Solar Millennium, Inc.,*
17 *CA I-10 Solar, LLC, Palo Verde Solar I, LLC,*
18 *Palo Verde Solar II, LLC, Blythe Solar Power Project*
19 *Unit 1, LLC, Blythe Solar Power Project Unit 2, LLC,*
20 *Blythe Solar Power Project Unit 3, LLC and Blythe Solar*
21 *Power Project Unit 4, LLC*

22 Dated: March 12, 2012

WATT, TIEDER, HOFFAR & FITZGERALD, LLP

23 By: /s/ Nicholas A. Merrell

24 Bennett J. Lee (CA Bar No. 230482)
25 Nicholas A. Merrell (CA Bar No. 240795)
26 Regina A. Verducci (CA Bar No. 264996)
27 333 Bush Street, Suite 1500
28 San Francisco, CA 94104
Telephone: 415-623-7000
Facsimile: 415-623-7001

Attorneys for Plaintiffs MMR Group, Inc., MMR Power
Solutions, LLC and Southwestern Power Group II, LLC

29 PURSUANT TO STIPULATION, IT IS SO ORDERED.

The 4/3/12 CMC is reset for 8/31/12
at 9:00 a.m.

30 Dated: 3/13/12

UNITED STATES DISTRICT JUDGE

